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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

HYZ-030CPCN3 (47508-518)

I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as first class mail  
in an envelope addressed to "Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450"  
on 12/22/2003

Signature *Stephanie R. Johnson*  
Typed or printed name Stephanie R. Johnson

In re Application of

Agrawal

Application Number  
09/777,526Filed  
02/06/2001

For Method of Down-Regulating Gene Expression

Art Unit  
1635Examiner  
Gibbs, T

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☐ ~~Applicant claims small entity status.~~ See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is: (Small entity status as of filing date. \$ 165.00  
See 37 CFR 1.27(g))

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. 08-0219. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.  
☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 33,523

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

*Ann-Louise Kerner*  
Signature

Ann-Louise Kerner, Ph.D.

Typed or printed name

617-526-6192

Telephone number

12/22/2003

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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12/30/2003 HDA:ITE1 00000009 080219 09777526

01 FC:2253

265.00 BA

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02 FC:2401

165.00 BA